

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	JUDGE CHRISTOPHER A. BOYKO
	)	
Plaintiff,	)	CASE NO. 1:07CR289
	)	
-vs-	)	
	)	
JAMES STEWART,	)	<u>ORDER</u>
	)	
Defendants.	)	

Defendant, through counsel, filed a "Motion to Appoint Investigator," (ECF Doc. No 33). Defendants' motion requests the Court appoint an investigator at the expense of the Government and permit counsel to select the investigator, to wit: Thomas Pavlish of Empire Investigations.

The Government replies that before an investigator is properly appointed at the expense of the public, the defendant should be required to describe the services to be provided and to make some showing why these services are necessary for the preparation of a proper defense (ECF Doc. No. 38).

The Government has no objection to defense counsel's motion if such information will only be disclosed to the Court *in camera*.

The Court grants, in part, Defendant's motion. Defendant will file a brief explaining why the appointment of an investigator is necessary; describe the services that will be provided by the investigator; and show why these services are necessary to a proper preparation of the defense. Defendant will file its brief by August 9, 2007 and the Government will reply by August 16, 2007.

IT IS SO ORDERED.

s/Christopher A. Boyko  
Christopher A. Boyko  
United States District Judge

August 3, 2007